

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.1.1.2
Eastern Division**

Devajit Mukherjee

Plaintiff,

v.

Case No.: 1:17-cv-03420

Honorable Rebecca R. Pallmeyer

POWERREVIEWS, INC., et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Monday, September 11, 2017:

MINUTE entry before the Honorable Rebecca R. Pallmeyer: Motion hearing held on 9/11/2017. Plaintiff's motion for leave to correct the record, file a second amended complaint, and file an amended response to Defendants' 12(b)(6) motion to dismiss [26] is stricken without prejudice. Defendants' motion to dismiss Plaintiff's first amended complaint [20] is granted: As Chief Operating Officer, Plaintiff was paid a substantial salary and is exempt from coverage under the Fair Labor Standards Act. The fact that Defendant allegedly mischaracterized him as an independent contractor, or delayed payment of money to which he was entitled, does not render Plaintiff non-exempt. As the FLSA claim was the only basis for federal jurisdiction, this case is dismissed without prejudice to Plaintiff's state law claims. Ruling set for 9/21/2017 is stricken. Civil case terminated. Mailed notice. (etv,)

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